

ARKANSAS STATE BOARD OF PHARMACY
322 South Main St., Suite 600
Little Rock, AR 72201

Monday, August 9, 2021

The Arkansas State Board of Pharmacy met for a Called Board Meeting on August 9-10, 2021. The meeting was held at the Arkansas State Board of Pharmacy office located at 322 South Main Street, Suite 600, Little Rock, AR.

The meeting was called to order by Rebecca Mitchell, Pharm.D., President.

Members present:

- * Lynn Crouse, Pharm.D.
- * Lenora Newsome, P.D. (Zoom)
- * Brian Jolly, Pharm.D.
- * Rodney Richmond, Pharm.D. (Zoom)
- * Debbie Mack, P.D. (Zoom)
- * Carol Rader, RN (Zoom)
- * Amy Fore, MHSA (Zoom)

Staff present:

- * John Kirtley, Pharm.D., Executive Director
- * Brenda McCrady, P.D, Assistant Director
- * Luke Daniel, General Counsel (Zoom)
- * Kevin Robertson, Pharm.D.
- * Cindy Fain, P.D.
- * Brandon Holland, Pharm.D.
- * Lana Whitmore, CFO

All members were present.

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **Allyson Lee Flaherty, PI22626 and Jeff Pattermann, PD06178, Case #2020-116**. Dr. Mitchell called the hearing to order and turned the proceeding over to the Hearing Officer, Christian Harris. The Board was represented by Luke Daniel. The respondent was represented by Darren O'Quinn.

BOARD ACTION

Dr. Jolly made the motion in the matter of **Jeff Pattermann, PD06178, Case #2020-116**, that Allegations A1 – A8 are true, and Charges 1, 2, 3, 4, 6, and 7 are proven. The Board imposes a \$1,000 disciplinary fine for these violations. Dr. Newsome seconded the motion. Dr. Richmond voted no. The motion passes.

BOARD ACTION

Dr. Mack made the motion in the matter of **Allyson Lee Flaherty, PI22626, Case #2020-116**, that Allegations A1 – A8 are true, and Charges C1 – C8 are proven, and the Board moves to impose a \$2,000 disciplinary fine. Ms. Rader seconded the motion. Dr. Richmond and Dr. Crouse voted No. The motion passes.

Support Group Discussion

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **White River Pharmacy, AR20870; Tammy Bitzer, PD09561; and Italo Solari, Owner, Case #2020-108**. Dr. Mitchell called the hearing to order and turned the proceeding over to the Hearing Officer, Christian Harris. The Board was represented by Luke Daniel. The respondent was not presented for the hearing.

BOARD ACTION

Dr. Jolly made the motion in the matter of **White River Pharmacy, AR20870; and Italo Solari, Owner, Case #2020-108**, I make a motion that we recover estimated investigational costs of \$18,750 and impose a disciplinary fine of \$100 per prescription, times 4,981 prescriptions (\$498,100) filled during the time period that Dr. Fain pulled the data, for a total of \$516,850, and that we also not allow the owner, Italo Solari, to be an owner of any facility licensed by this State Board. Dr. Mack seconded the motion. The vote for the motion was unanimous.

Wednesday, June 9, 2021

The meeting was called to order by Rebecca Mitchell, Pharm.D., President.

Members present:

- * Lynn Crouse, Pharm.D.
- * Lenora Newsome, P.D. (Zoom)
- * Brian Jolly, Pharm.D.
- * Rodney Richmond, Pharm.D. (Zoom)
- * Debbie Mack, P.D. (Zoom)
- * Carol Rader, RN (Zoom)
- * Amy Fore, MHSA (Zoom)

Staff present:

- * John Kirtley, Pharm.D., Executive Director
- * Brenda McCrady, P.D, Assistant Director
- * Luke Daniel, General Counsel (Zoom)
- * Kevin Robertson, Pharm.D.
- * Cindy Fain, P.D.
- * Brandon Holland, Pharm.D.
- * Lana Whitmore, CFO

All members were present.

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **Savanah Leann Beach, PT12487, Case #2021-070**. Dr. Mitchell called the hearing to order and turned the proceeding over to the Hearing Officer, Christian Harris. The Board was represented by Luke Daniel. The respondent was not represented by counsel.

BOARD ACTION

Dr. Richmond made the motion in the matter of **Savanah Leann Beach, PT12487, Case #2021-070**, that Allegations A1 – A5 are true, and Charges C1 – C5 are proven. I recommend that we revoke the Pharmacy Technician Permit

Number PT12487 and consistent with the request of the Board, that she be required to undergo a patient evaluation for addiction before she is reconsidered for being reissued a license. Dr. Crouse seconded the motion. The vote for the motion was unanimous.

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **Latesha Hart, Pharmacy Technician Applicant, Case #2021-068**. Dr. Mitchell called the hearing to order and turned the proceeding over to the Hearing Officer, Christian Harris. The Board was represented by Luke Daniel. The respondent was not represented by counsel.

BOARD ACTION

Dr. Jolly made the motion in the matter of **Latesha Hart, Pharmacy Technician Applicant, Case #2021-068**, noting that Allegation six has been amended as regards to date, and Allegations A1 – A11 are true, and Charge C1 is proven and moves to deny her pharmacy technician reinstatement application. Dr. Mack seconded the motion. The vote for the motion was unanimous.

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **Amy Johnson, PD08439, Case #2021-065**. Dr. Mitchell called the hearing to order and turned the proceeding over to the Hearing Officer, Christian Harris. The Board was represented by Luke Daniel. The respondent was represented by Robert Mosby.

BOARD ACTION

Dr. Jolly made the motion in the matter of **Amy Johnson, PD08439, Case #2021-065**, that Allegations A1 – A16 are true, and Charges C1 – C5 are pending a multiple day evaluation at a Board approved treatment facility, at which point when we get those results back, we try to fast-track a Zoom meeting to review the results and will then appear before the Board. Mrs. Rader seconded the motion. The vote for the motion was unanimous.

Shelly Tustison, with Walmart, and Erica Gee, here on behalf of Walmart, appeared before the Board to continue the discussion on printing patient information at the point of sale in Walmart pharmacies, which was first brought before the Board at the June Board Meeting. They discussed workflow issues with patient drug information. Ms. Gee said Walmart has decided to voluntarily change its workflow processes out of respect for the Board's wishes. The new procedure for new prescriptions is the consumer medication information will be handed to patients by the pharmacist upon counsel. On refills, this information will not be given unless specifically requested by the

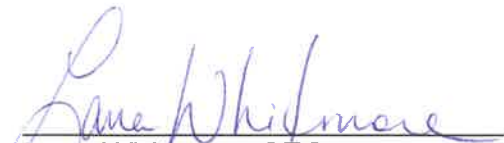
patient. Ms. Gee said this is not something that can be changed overnight, but that Walmart has begun the process of updating their software to make the changes.

BOARD ACTION


Dr. Crouse made the motion to approve the changes made by Walmart and ask that it be implemented by November 8, 2021, and if it is not, they will need to reappear before the Board to provide a progress report. Dr. Jolly seconded the motion. The vote for the motion was unanimous.

The meeting was adjourned.

Prepared by:


Lana Whitmore, CFO

Approved for the Board:


Rebecca Mitchell, Pharm.D., President